

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING LAW ENFORCEMENT MERIT SYSTEM COUNCIL

Editor's Note: The following two Notices of Rulemaking Docket Opening were exempt from Executive Order 2012-03 as issued by Governor Brewer. (See the text of the executive order on page 862.)

[R14-46]

1. **Title and its heading:** 13, Public Safety
Chapter and its heading: 5, Law Enforcement Merit Council System
Article and its heading: 1, General Provisions
7, Discipline and Appeals
8, Separation From Employment; Retirement System Eligibility
Section numbers: R13-5-101, R13-5-102, R13-5-701 through R13-5-705
(Additional sections may be added, modified or deleted as necessary).
2. **The subject matter of the proposed rule:**
This rulemaking is authorized by A.R.S. § 41-1830.12(3). The Law Enforcement Merit System Council proposes to amend its Title 13, Chapter 5 articles to comply with changes in statutes, A.R.S. § 41-1830.11 through 41-1830-16, that were the result of H.B. 2571 and H.B. 2723 that passed in the 50th Legislative Session 2012.
3. **A citation to all published notices relating to the proceeding:**
None
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Debbie Weiland
Address: P.O. Box 6638
MD 1290
Phoenix, AZ 85005-6638
Telephone: (602) 223-2286
Fax: (602) 223-2096
E-mail: dweiland@azdps.gov
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Written comments may be submitted by using the addresses listed in item 4. The Council will provide information regarding an oral processing in the Notice of Proposed Rulemaking.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
To be determined

NOTICE OF RULEMAKING DOCKET OPENING INDUSTRIAL COMMISSION OF ARIZONA

[R14-47]

1. **Title and its heading:** 20, Commerce, Financial Institutions, and Insurance
Chapter and its heading: 5, Industrial Commission of Arizona
Article and its heading: 6, Occupational Safety and Health Standards
Section numbers: R20-5-601
2. **The subject matter of the proposed rule:**
The U.S. Department of Labor, under the Occupational Safety and Health Act, has authorized Arizona to maintain a state plan Occupational Safety and Health program (referred to as a "state plan"). To maintain its state plan, Arizona must have a state plan that is "at least as effective" as the Federal OSHA program. Federal OSHA has published a new "final rule" and state plans, such as Arizona, must adopt a new standard that is at least as effective as the Federal OSHA new final rule or demonstrate that Arizona's existing standards already impose the compliance duties under Federal OSHA's new rule. The Arizona Division of Occupational Safety and Health, part of the Industrial Commis-

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sion of Arizona, has determined that it is necessary to amend R20-5-601 to incorporate the new federal rule to ensure that Arizona's OSHA program is at least as effective as the Federal OSHA program.

The Industrial Commission is amending R20-5-601, by incorporating by reference, amendments from 29 CFR 1926, as published in Federal Register 78 FR23837-23843, April 23, 2013, which became a final rule effective May 23, 2013. The new federal rule amends OSHA's 2010 cranes and derricks construction standards in subpart S (Underground Construction, Caissons, Cofferdams, and Compressed Air) and subpart T (Demolition) of OSHA's construction standards at 29 CFR 1926 by applying subpart CC (Cranes and Derricks in Construction) of 29 CFR 1926.

Copy of the incorporated by reference material is available from the Federal OSHA web site www.osha.gov and interested parties can also review or obtain copies at the Arizona Division of Occupational Safety and Health office located at 800 W. Washington St., Room 203, Phoenix, AZ 85007.

3. A citation to all published notices relating to the proceeding:

There are no prior published notices.

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Valli Goss, Staff Attorney
Address: Industrial Commission of Arizona
800 W. Washington St., Suite 303
Phoenix, AZ 85007
Phone: (602) 542-5948
Fax: (602) 542-6783
E-mail: Valli.Goss@azica.gov

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

To be published in Notice of Proposed Rulemaking.

6. A timetable for agency decisions or other action on the proceeding, if known:

Not yet known.